

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Village of Loch Arbour, in the County of Monmouth, New Jersey (the "Village"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$125,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$15,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1, et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$110,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. a. The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the acquisition of various beach equipment including, but not limited to, a beach rake, tractor, and lockers, together with all work and materials necessary therefor or incidental thereto, as more fully described in plans and specifications on file with the Acting Village Clerk, as finally approved by the governing body of the Village.

b. The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$110,000, as stated in Section 2 hereof.

c. The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$125,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$125,000 over the estimated maximum amount of bonds or notes to be issued therefor being the \$15,000 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Acting Chief Financial Officer of the Village, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Acting Chief Financial Officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the Acting Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Acting Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Acting Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

a. The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Village may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

b. The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is five (5) years.

c. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Acting Village Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Village as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$110,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

d. An aggregate amount not exceeding \$25,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

e. To the extent that moneys of the Village are used to finance, on an interim basis, costs of said improvements or purposes, the Village reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Village is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Acting Village Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Village for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Village are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Village, and, unless paid from other sources, the Village shall be obligated to levy ad valorem taxes upon all the taxable property within the Village for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried, that the meeting be opened for comments on the said Ordinance only.

Mr. DanBleyker, Euclid Avenue, asked about the arrangement that the Village will have with the Borough of Deal for beach cleaning.

There being no further comments, and UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried, that the public hearing be closed.

UPON MOTION of Commissioner Cheswick, seconded by Commissioner D' Angelo, carried, that said Ordinance 2015-404 be and the same is hereby adopted, directing the Clerk to post and publish as required by law.

Recorded Vote:

Ayes: None

Nays: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola

Absent: None

2015 Municipal Budget

4. RESOLUTION 2015-47:

UPON MOTION of Mayor Fernicola, seconded by Commissioner D' Angelo, carried that the following resolution be adopted:

WHEREAS, the Village of Loch Arbour 2015 Municipal Budget was introduced and approved on the 8th day of April, 2015; and,

WHEREAS, pursuant to N.J.S.A. 40A:4-1, et seq., the Synopsis of the Budget was published in *The Coaster* on April 16, 2015 and the Affidavit of Publication is on file in the Village Clerk's office; and,

WHEREAS, a public hearing thereon is being held on the 13th day of May, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that the budget hereinbefore set forth shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$ 1,557,002.71 for municipal purposes.

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola

Nays: None

Absent: None

Rich from Hulsart and Company, Auditor for the Village of Loch Arbour explained in summary the 2015 Budget and the Amendment to the 2015 Budget.

UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried that the meeting be opened to the public for comments on the 2015 Budget only.

There being no comments from the public present. UPON MOTION of Mayor Fernicola seconded by Commissioner Cheswick, carried that the meeting be closed.

Resolution 2015-48 UPON MOTION of Mayor Fernicola seconded by Commissioner D' Angelo, carried,

WHEREAS, the local municipal budget for the year 2015 was approved on the 8th of April, 2015, and

WHEREAS, the public hearing on said budget has been advertised, and

WHEREAS, it is desired to amend said approved budget, now

THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Village of Loch Arbour, County of Monmouth, that the following amendments to the approved budget of 2015 be made

	<u>FROM</u>	<u>TO</u>
Anticipated Revenues		
Miscellaneous Revenues- Special Item of General Revenue Anticipated with prior written consent Of Director of Local Government Services - Other Special Items:		
FEMA Reserve		
Total - Other Special Items	\$ 253,139.59	\$ 418,383.64
	\$ 253,139.59	\$ 418,383.64
 Total General Revenues	 \$1,391,758.66	 \$1,557,002.71
Appropriations		
General Appropriations:		
Deferred Charges and Statutory Expenditures- Municipal Within "CAPS"		
Statutory Expenditures:		
Contribution to:		
Public Employee's Retirement System	\$ 15,778.00	\$ 12,901.00
Social Security System	\$ 13,500.00	\$ 16,377.00
General Appropriations Excluded from "CAPS"		
Deferred Charges-Municipal-Excluded from "CAPS"		
Deferred Charges:		
Special Emergency Authorizations- 5 Years (N.J.S.A. 40A:4-55)	\$ 256,639.59	\$421,883.64
Total Deferred Charges-Municipal-Excluded from "CAPS"	\$ 256,639.59	\$421,883.64
Total General Appropriations-Excluded from "CAPS"	\$ 541,103.89	\$706,347.94
Total General Appropriations	\$ 1,391,758.66	\$1,557,002.71

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED, that this amendment be advertised in the Coaster on May 21, 2015 and a public hearing be held on June 3, 2015 at the Municipal Building at 6:30 p.m.

Recorded Vote:

Ayes: Mayor Fernicola, Commissioner Cheswick, Commissioner D' Angelo
 Nays: None Ayes: None

Resolution 2015-49: UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried, that the following Resolution be adopted:

WHEREAS, PURSUANT TO N.J.S.A. 40A:4-1, et seq., the Synopsis of the Budget was published in The Coaster on April 16, 2015 and the Affidavit of Publication is on file in the Village Clerk's office.

WHEREAS, pursuant to the requirements of N.J.S.A. 40A:4-8 et seq., the completed copy of the 2015 Municipal Budget was supplied to the State of New Jersey and upon review an Amendment to Budget must be completed.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioner of the Village of Loch Arbour, that the auditor, Robert A. Hulsart, amend the 2015 Municipal Budget.

BE IT FURTHER RESOLVED, that the adoption of the 2015 Municipal Budget be tabled until the next Commissioners Meeting on June 3, 2015.

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola
Nays: None Absent: None

Resolution 2015-50: UPON MOTION of Commissioner Cheswick, seconded by Commissioner D' Angelo, the following resolution be adopted:

WHEREAS, N.J.S. 40:8A-1 authorizes a municipality to enter into a contract with another municipality for the joint provision of services; and,

WHEREAS, the Village of Loch Arbour and the Borough of Deal wish to enter into an agreement whereby the Borough of Deal will provide Beach Cleaning Services to the Village of Loch Arbour effective for the 2015 Beach Season.

WHEREAS, the Board of Commissioners has duly considered the foregoing.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that the Mayor of the Board of Commissioners and Acting Clerk of the Village of Loch Arbour be the same are hereby authorized to execute and deliver an agreement with the Borough of Deal for a Beach Cleaning Agreement for the 2015 Beach Season, which agreement is on file in the office of the Village Clerk at the Village of Loch Arbour Municipal Building, 550 Main Street, and available for public inspection during regular business hours.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the following:

1. Stephen Carasia, Borough Clerk-Administrator, Borough of Deal
2. Michael Mariniello, Acting CFO, Village of Loch Arbour

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola
Nays: None Absent: None

Resolution 2015-51: UPON MOTION of Commissioner D' Angelo, seconded by Commissioner Cheswick, carried that the following Resolution be adopted:

WHEREAS, the National Multiple Sclerosis Society, New Jersey Metro Chapter has requested permission to use Village streets for the "Coast the Coast" Bike MS Ride on Saturday, May 16, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that permission is granted to the Multiple Sclerosis Society, New Jersey Metro Chapter to use Village streets for the "Coast the Coast" Bike MS Ride to be held on Saturday, May 16, 2015, subject to the following conditions:

"The main bathing area of the beachfront shall be between the area beginning approximately ten feet north of the old wooden groin located at the end of Euclid Ave, and ending approximately ten feet south of the small jetty at the end of Elberon Ave. These areas will be marked with a line drop and buoys marking the perimeter of the designated bathing area. The South Beach bathing area shall be located approximately ten feet south of the old wooden groin located at the end of Euclid Ave and extend to approximately ten feet north of the new Loch Arbour/Kassin Beach border. The northern perimeter of this bathing area shall be marked with a rope drop and buoys. The southern perimeter will be marked with either a rope drop and buoys or flag. Bathing and/or the use of floatable recreational devices shall be permitted in these areas only at the discretion of the beach manager, based upon weather, ocean and crowd conditions."

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola
 Nays: None Absent: None

Resolution 2015-54: UPON MOTION of Mayor Fernicola, seconded by Commissioner D' Angelo, carried that the following resolution be adopted:

WHEREAS, the Acting Village Clerk, in consultation with Beach Manager, John Bosmans, has recommended the following personnel for seasonal employment at the Village Beach Club commencing May 23, 2015 for the summer season of 2015; and,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that the following persons are appointed for employment at the Village Beach Club, Loch Arbour, commencing May 23, 2015 for the summer season of 2015:

NAME	TITLE	SALARY PER HOUR	HOURS PER WEEK
Jeff Siciliano	Head Guard	13.00	48 hours
Dillon Henrichsen	Deputy Head Guard	12.00	48 hours
Frank Henry	Guard	9.68	48 hours
Patrick Parenty	Guard	9.68	40 hours
Henry Lee	Guard	9.18	48 hours
Cole Mehr	Guard	9.18	48 hours
Deandra Henry	Guard	8.67	48 hours
Sarah Nichols	Guard	8.67	40 Hours
Christopher Nagy	Head Gateperson	14.00	48 hours
Michael Nagy	Gateperson	11.50	48 hours
Timothy Smock	Gateperson	9.18	48 hours
Kevin Smock	Gateperson	9.43	40 hours
Arvo Lee	Gateperson	9.18	40 hours
Abigail Collins	Gateperson	8.38	40 hours
Malia Wolf	Gateperson	8.38	40 hours

BE IT FURTHER RESOLVED that the weekly scheduled hours for each employee may be changed at the Beach Manager's discretion based upon the staffing needs of the Village Beach Club.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to the Chief Financial Officer for his action.

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola
Nays: None Absent: None

Resolution 2015-55: UPON MOTION, Mayor Fernicola, seconded by Commissioner D' Angelo, carried that the following resolution be adopted:

WHEREAS, Board of Commissioners of the Village of Loch Arbour wishes to offer residents the opportunity to participate in a Village-wide Garage Sale, with no permit or fees required.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that residents may conduct garage sales on Saturday, June 13, 2015 (raindate: June 14, 2015) between the hours of 9:00 AM and 3:00 PM.

BE IT FURTHER RESOLVED that the permit and fee requirements of Village Ordinance No. 125 are hereby waived for this event.

BE IT FURTHER RESOLVED that the Village Clerk be and he is hereby directed to advertise this sale in *The Coaster* and place a notice of the same on the Village's website.

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola
Nays: None Absent: None

Resolution 2015-56: UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried that the following resolutions be adopted:

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the County of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operation over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated, and

WHEREAS, the Village of Loch Arbour, is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, be it resolved as follows:

1. The Board of Commissioners hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the Municipality designated by the County as being either larval mosquito habitat or areas harboring high populations or mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:

a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and

b. such operation will be performed in compliance with applicable Federal and State regulations, and

c. the County will notify the Police Department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola

Nays: None

Absent: None

Resolution 2015-57: UPON MOTION of Mayor Fernicola seconded by Commissioner Cheswick the following Resolution be tabled.

WHEREAS, The Mobi-Mat, DMS, Inc. has offered to donate a 50" Mobi Mat to the Village of Loch Arbour for the Village Beach Club.

BE IT RESOLVED, by the Board of Commissioners of the Village of Loch Arbour that this resolution be tabled so that all options can be considered before accepting the donation.

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola

Nays: None

Absent: None

REPORTS/DISCUSSION

A. Consolidation Matters/School Taxation Issues - Mayor Fernicola reported Interlaken rejected to negotiate a consolidation plan with the Village. Mayor Fernicola stated that the Village has retained Special Counsel to explore alternatives, which do not involve consolidation, to try and alleviate the tax burden.

B. Update on Progress of Beach - Sand Replenishment Program. Acting Clerk, Dan Mason, reported that the Beach is open on Weekends until June 20, 2015 when the beach opens full time. World War I fuses were found on the beach, due to the beach replenishment. A three-step program will be enforced on the Village beach this summer.

- No Metal Detecting
- No Digging in sand, beyond 2 feet
- No Bonfires

Daily maintenance is being conducted on the beach. After Labor Day the beach will be thoroughly sifted by the Army Corp of Engineers. This project will be conducted from Labor Day until approximately December, 2015.

C. Memorial Day Ceremony - Saturday, May 23, 2015 at 10:30 a.m. at the entrance of the Village Beach club.

D. ORDINANCE 2015-405 - introduction

The Village Attorney read the said Ordinance by Title:

ORDINANCE #2015-405

AN ORDINANCE TO AMEND ORDINANCE #376 OF THE VILLAGE OF LOCH ARBOUR ENTITLED "AN ORDINANCE TO CREATE A MUNICIPAL BEACH IN THE VILLAGE OF LOCH ARBOUR, COUNTY OF MONMOUTH, AND TO REGULATE AND PROVIDE FUNDS TO IMPROVE, MAINTAIN AND POLICE THE SAME, AND PROVIDING FOR THE CHARGING AND COLLECTING OF REASONABLE FEES FOR THE REGISTRATION OF PERSONS USING SAID LANDS AND BATHING AND RECREATIONAL GROUNDS SO PROVIDED, AND FOR THE USE OF BATHING AND RECREATIONAL FACILITIES."

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE VILLAGE OF LOCH ARBOUR, COUNTY OF MONMOUTH, as follows:

Section 1. ARTICLE II REGISTRATION AND ADMISSION TO BEACH, Section 3 is amended and supplemented to read as follows:

Section 3.c. Effective July 1, 2015, daily admittance and facilities service charge for persons 12 years of age or older:

- Monday through Thursday (except Legal Holidays), \$6.00 per person, per day;
- Friday, Saturday, Sunday and all Legal Holidays, \$10.00 per person, per day;

Section 2. EFFECTIVE DATE

This Ordinance shall take effect July 1, 2015 after its final passage and publication as required by law.

UPON MOTION, of Mayor Fernicola, seconded by Commissioner Cheswick, carried that said Ordinance 2015-405 be adopted on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as June 3, 2015.

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola
Nays: None Absent: None

E. ORDINANCE 2015-406 - introduction

The Village Attorney read the said Ordinance by Title:

ORDINANCE 2015-406

AN ORDINANCE TO AMEND ORDINANCE #2013-387 OF THE VILLAGE OF LOCH ARBOUR, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ESTABLISHING AN AREA FOR PLACEMENT OF PARKING METER TERMINAL, PAYMENT FOR SAME BY A MULTI-SPACE PARKING METER TERMINAL, PRESCRIBING REGULATIONS RELATIVE TO PARKING OF VEHICLES UPON SUCH STREETS, PROVIDING FOR THE ESTABLISHMENT OF A PARKING METER ZONE AND PROVIDING FOR THE ESTABLISHMENT OF RATES FOR METER PARKING AND THE ENFORCEMENT AND PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED by the Board of Commissioners of the Village of Loch Arbour, in the County of Monmouth and the State of New Jersey, as follows:

Section 1:

Section 2 PARKING METER ZONE ESTABLISHED

Section 4. CHARGES AND FEES. Effective July 1, 2015, the owner or operator of a vehicle shall, immediately upon entering a parking space, pay either in a parking meter, or in a multi-space parking meter terminal, the sum of fifty (\$0.50) cents for each period of fifteen (15) minutes or \$2.00 per hour during the dates and hours parking meters are in effect.

Section 2. EFFECTIVE DATE

This Ordinance shall take effect July 1, 2015 after its final passage and publication as required by law.

UPON MOTION, of Commissioner D' Angelo, seconded by Commissioner Cheswick, carried that said Ordinance 2015-406 be adopted on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as June 3, 2015.

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola
Nays: None Absent: None

PUBLIC HEARING

UPON MOTION of Mayor Fernicola, seconded by Commissioner D' Angelo, carried, that the meeting be opened to the public for comments.

Mr. DanBleyker, Euclid Avenue, suggested during the beach season having staff at the Asbury access point at the water line to monitor the area.

Mr. DanBleyker, commented about the project of Euclid Phase II.

Mr. DanBleyker, asked if the Village is successful and withdraws from the Ocean Township School District, is there an estimated time frame to be aligned with the West Long Branch School System. Mayor Fernicola stated he does not know.

Paul Williams, Euclid Avenue, urged the Commissioners to consider adopting an Ordinance regarding Historic Preservation.

Mr. Williams asked the Commissioners to consider adopting an Ordinance to clarify the definition of "Height" in the Village Ordinances.

Mr. Williams asked about a code enforcement issue at 307 Edgemont Drive. The deputy clerk indicated that Mr. Avakian's office will be looking into the matter.

There being no further comments, and UPON MOTION, Mayor Fernicola seconded by Commissioner D'Angelo, carried, that the public hearing be closed.

UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried, that the following **Resolution** be and the same is hereby adopted:

WHEREAS, Section 8 of the Open Public Meetings Act, N.J.S.A. 10:4-12 et seq., permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist.

